

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

JASON FRY, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

ANCESTRY.COM OPERATIONS INC., a
Virginia Corporation; ANCESTRY.COM
INC., a Delaware Corporation; and
ANCESTRY.COM LLC, a Delaware limited
liability company,

Defendants.

Case No.: 3:22-cv-00140-JD-MGG

DEFENDANTS' MOTION TO DISMISS
UNDER RULE 12 AND INDIANA'S ANTI-SLAPP STATUTE

Defendants Ancestry.com Operations Inc., Ancestry.com Inc., and Ancestry.com LLC (collectively, “Ancestry”), respectfully move this Court under Rule 12 and Indiana’s anti-SLAPP statute for an order dismissing plaintiff’s Complaint. As explained in the accompanying Memorandum of Law, this Motion should be granted because Ancestry is not subject to personal jurisdiction in Indiana, plaintiff has not alleged an Article III injury, Ancestry is immune pursuant to the Communications Decency Act, plaintiff’s claims are preempted by the federal Copyright Act, plaintiff has not plausibly alleged his claims, and the claims are barred by Indiana’s anti-SLAPP statute.

Dated: May 10, 2022

Respectfully submitted,

/s/ John A. Conway

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filings(s) to all counsel of record.

/s/ John A. Conway
John A. Conway